

MAINE STATE LEGISLATURE

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5/19/18
R. O. J.

Date: 4/6/18

L.D. 902

(Filing No. H-726)

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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 630, L.D. 902, "Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program"

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Amend the resolve by striking out the title and substituting the following:

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'Resolve, To Develop MaineCare Reimbursement Rates for Trauma-focused Cognitive Behavioral Therapy'

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Amend the resolve by striking out everything after the title and before the summary and inserting the following:

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'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, trauma-focused cognitive behavioral therapy is currently available under the MaineCare program but needs its own reimbursement code to ensure that costs to providers are met; and

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Whereas, to prevent the loss of providers of services, rates must be developed as soon as possible; and

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Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

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Sec. 1. Department of Health and Human Services to conduct a rate study to develop a new rate for MaineCare reimbursement for trauma-focused cognitive behavioral therapy. Resolved: That the Department of Health and Human Services shall contract for a 3rd-party independent rate study to develop a separate reimbursement rate for trauma-focused cognitive behavioral therapy to be available to be billed under rule Chapter 101: MaineCare Benefits Manual, Section 65. In establishing the rate, the rate study must take into consideration the following:

COMMITTEE AMENDMENT

KOPS

COMMITTEE AMENDMENT "A" to H.P. 630, L.D. 902

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- 1. The costs to the provider of delivering the service, including additional training for certification and continuing education;
- 2. Quality assurance and continuous quality improvement;
- 3. The need to attract enough providers to clear waiting lists for services;
- 4. The need to attract providers to all areas of the State, including underserved rural areas; and
- 5. The costs of ensuring fidelity to the trauma-focused cognitive behavioral therapy model.

The department shall ensure that the rate study is completed no later than January 1, 2019. The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the findings of the rate study no later than January 30, 2019. The department shall amend its rules to establish a separate reimbursement rate for trauma-focused cognitive behavioral therapy. Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Office of MaineCare Services 0129**

Initiative: Provides funding to contract with a 3rd party to conduct a rate study to develop certain rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 to be completed no later than January 1, 2019.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$50,000
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GENERAL FUND TOTAL	\$0	\$50,000
FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$0	\$50,000
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FEDERAL EXPENDITURES FUND TOTAL	\$0	\$50,000

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

SUMMARY

This amendment replaces the resolve and changes the title. It requires the Department of Health and Human Services to contract for a 3rd-party independent rate study to develop a separate rate for MaineCare reimbursement for trauma-focused

COMMITTEE AMENDMENT

ROPS

COMMITTEE AMENDMENT "A" to H.P. 630, L.D. 902

1 cognitive behavioral therapy to be billed under rule Chapter 101: MaineCare Benefits
2 Manual, Section 65. Currently, this therapy is available as outpatient therapy and
3 home-based and community-based treatment under Section 65. The rate study must take
4 into consideration the costs to providers of delivering the service, including certification
5 and continuing education, quality assurance and continuous quality improvement, the
6 need to attract enough providers to clear waiting lists and serve all areas of the State and
7 the costs to ensure fidelity to the therapy model. The rate study must be completed no
8 later than January 1, 2019, and the department must report to the joint standing committee
9 of the Legislature having jurisdiction over health and human services matters by January
10 30, 2019. The department must amend its rules to establish the new rate. The
11 amendment adds an emergency preamble and emergency clause. The amendment also
12 adds an appropriations and allocations section.

13 **FISCAL NOTE REQUIRED**

14 (See attached)



128th MAINE LEGISLATURE

LD 902

LR 1199(02)

Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-726)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$0	\$50,000	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$50,000	\$0	\$0
Federal Expenditures Fund	\$0	\$50,000	\$0	\$0
Revenue				
Federal Expenditures Fund	\$0	\$50,000	\$0	\$0

Fiscal Detail and Notes

The bill includes a General Fund appropriation to the Department of Health and Human Services of \$50,000 in fiscal year 2018-19 to contract with a third party to conduct a rate study to develop certain rates under rule Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 65 to be completed no later than January 1st, 2019. Federal Expenditures Fund allocations are also included for the FMAP match.